



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 21, 2006

### **S.J. Res. 12**

#### **Proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States**

*As reported by the Senate Committee on the Judiciary on June 20, 2006*

S.J. Res. 12 would propose an amendment to the Constitution to allow the Congress to enact legislation that would prohibit physical desecration of the U.S. flag. The legislatures of three-fourths of the states would be required to ratify the proposed amendment within seven years for the amendment to become effective. By itself, this resolution would have no impact on the federal budget. If the proposed amendment to the Constitution is approved by the states, then any future legislation prohibiting flag desecration could impose additional costs on U.S. law enforcement agencies and the court system to the extent that cases involving desecration of the flag are pursued and prosecuted. However, CBO estimates that any resulting costs would not be significant. S.J. Res. 12 would not affect direct spending or revenues.

S.J. Res. 12 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. For the amendment to become part of the Constitution, three-fourths of the state legislatures would have to ratify the resolution within seven years of its submission to the Congress. However, no state would be required to take action on the resolution, either to reject it or approve it.

On May 31, 2005, CBO transmitted a cost estimate for H.J. Res 10, proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States, as ordered reported by the House Committee on the Judiciary on May 25, 2005. The two resolutions are identical, as are the cost estimates.

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs) and Melissa Merrell (for the state and local impact). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.